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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Robert Burgmeier, Richard Goodin, Joseph Delaney Jr, Larry Peterson
Application No.:	10/772477
Filed:	February 5, 2004
For:	MEDICAL DEVICE WITH VARYING PHYSICAL PROPERTIES AND METHOD FOR FORMING SAME
Examiner:	CHRISTOPHER BRUENJES
Group Art Unit:	1772
Firm Docket No.:	S63.2H-11462-US01

DATE: May 16, 2007TIME: 9:02amFACSIMILE NO.: 571-273-8300TOTAL NUMBER OF PAGES (including transmittal letter): 4

## FACSIMILE TRANSMITTAL LETTER

Following please find a(n) 3 page Preliminary Amendment; and 1 page Facsimile Transmittal Letter.

With respect to fees:

- No additional fee is believed to be required
- Charge any fee deficiency to our Deposit Account No. 22-0350

## Conditional Petition

If any extension of time for the accompanying response is required or if a petition for any other matter is required, applicant requests that this be considered a petition therefore.

If any additional fees associated with this communication are required and have not otherwise been paid, please charge the additional fees to Deposit Account No. 22-0350. Please credit overpayment associated with this communication to the Deposit Account No. 22-0350.

Respectfully submitted,  
VIDAS, ARRETT & STEINKRAUS

Date: May 16, 2007By: 

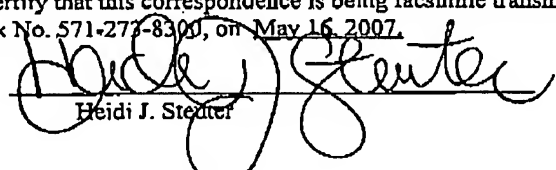
Walter J. Steinkraus  
Registration No.: 29592

6109 Blue Circle Drive, Suite 2000  
Minnetonka, MN 55343-9185  
Telephone: (952) 563-3000  
Facsimile: (952) 563-3001 or (952) 563-3009

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## Certificate of Transmslssion

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Signature: 

Heidi J. Steidter

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Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Docket No.: S63.2H-11462-US01**

**PRELIMINARY AMENDMENT**

Before beginning examination and calculating the fees in this application, please amend the above-identified application as indicated below: